IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Writ Petition No. 449 (S/S) of 2004

Jagdish Chandra Pant … Petitioner

Versus

Food Corporation of India
New Delhi & others … Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri J.C. Joshi learned counsel for the petitioner and Sri. Rakesh Joshi holding brief of Sri M.C. Pandey learned counsel for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 22.04.2004 (annexure 3 to the writ petition) by which he was transferred from Haldwani to Dehradun.

Learned counsel for the petitioner has submitted that the petitioner has been assigned duty for election and it is not disputed that this is under code of conduct. The petitioner has challenged the transfer order on the ground that the transfer order has been passed during the time of election and it violates the Article 14 and 16 of the Constitution, as such, it is wholly illegal and without jurisdiction.

Considering the fact, I find it necessary in the interest of justice to direct the respondents to keep the transfer order dated 22.04.2004 in abeyance till 31.05.2004. The petitioner shall join at its new place at Dehradun on 01.06.2004.

With these directions, the writ petition is disposed of.

05.05.2004 **(M.M. Ghildiyal, J.)**
ASWAL